

# DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below adjacent to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of subject matter (process, machine, manufacture, or composition of matter, or an improvement thereof) which is claimed and for which a patent is sought by way of the application entitled

## MICROPARTICLE COATED MEDICAL DEVICE

which (check) ☒ is attached hereto.  
☐ and is amended by the Preliminary Amendment attached hereto.  
☐ was filed on      as Application Serial No.  
☐ and was amended on      (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
Number	Country	Day/Month/Year Filed	Yes	No
N/A			<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date
N/A	

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status (patented, pending, abandoned)
N/A		

Copy of Combined Declaration for Patent Application  
and Power of Attorney from  
Parent Application Serial No. 09/851,877

I hereby appoint the following practitioners to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

Alan H. MacPherson (24,423); Brian D. Ogonowsky (31,988); David W. Heid (25,875); Norman R. Klivans (33,003); Edward C. Kwok (33,938); David E. Steuber (25,557); Michael Shenker (34,250); Stephen A. Terrile (32,946); Peter H. Kang (40,350); Ronald J. Meetin (29,089); Ken John Koestner (33,004); Omkar K. Suryadevara (36,320); David T. Millers (37,396); Michael P. Adams (34,763); Robert B. Morrill (43,817); James E. Parsons (34,691); Philip W. Woo (39,880); Michael J. Halbert (40,633); Gary J. Edwards (41,008); Daniel P. Stewart (41,332); Tom Chen (42,406); Fabio E. Marino (43,339); Don C. Lawrence (31,975); Marc R. Ascolese (42,268); Carmen C. Cook (42,433); David G. Dolezal (41,711); Roberta P. Saxon (43,087); Mary Jo Bertani (42,321); Sam G. Campbell (42,381); Matthew J. Brigham (44,047); Shireen Irani Bacon (40,494); George Wolken, Jr. (30,441); John A. Odozynski (28,769); Paul E. Lewkowicz (44,870); Theodore P. Lopez (44,881); Eric Stephenson (38,321); Christopher Allenby (45,906); David C. Hsia (46,235); Mark J. Rozman (42,117); Margaret M. Kelton (44,182); Do Te Kim (46,231); Alex Chen (45,591); Monique M. Heyninck (44,763); Gregory J. Michelson (44,940); Jonathan Geld (44,702); Emmanuel Rivera (45,760); Jason FarHadian (42,523); Matthew J. Spark (43,453); Elaine H. Lo (41,158); Jon Hallman (42,622); Robert Strawbrich (36,692); Rita Wisor (41,382); Gregory Powell (47,005); Mark E. Schmidt (47,063); Rachel V. Leiterman (46,868); Joseph K. Hollinger (40,649); K. Alison de Runtz (37,119); James Hsue (29,545); Philip Yau (32,892); Gerald Parsons (24,486); Michael Cleveland (46,030); Brian A. Schar (45,076); Jack Musgrove (31,986); Abdul R. Zindani (46,901); William L. Robinson (47,032); D'Ann Rifai (47,026); Gergely T. Zimanyi (45,754); ; Earl A. Bright II (37,045); Thomas A. Hassing (36,159); Tim L. Kitchen (41,900); and Philip S. Yip (37,265).

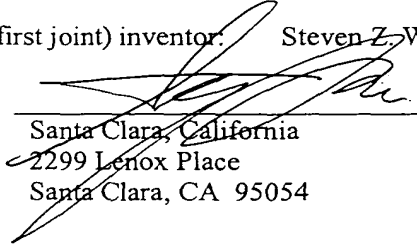
Please address all correspondence and telephone calls to:

Theodore P. Lopez  
**SKJERVEN MORRILL MacPHERSON LLP**  
 25 Metro Drive, Suite 700  
 San Jose, California 95110-1349

Telephone: 949-718-5210  
 Facsimile: 949-718-6799

I declare that all statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and all statements made herein are made with the knowledge that whoever, in any matter within the jurisdiction of the Patent and Trademark Office, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be subject to the penalties including fine or imprisonment or both as set forth under 18 U.S.C. 1001, and that violations of this paragraph may jeopardize the validity of the application or this document, or the validity or enforceability of any patent, trademark registration, or certificate resulting therefrom.

Full name of sole (or first joint) inventor: Steven Z. Wu

Inventor's Signature: 

Date: 5/1/01

Residence: Santa Clara, California

Post Office Address: 2299 Lenox Place  
Santa Clara, CA 95054

Citizenship: USA

[SIGNATURES CONTINUED ON PAGE 3 OF 3]

Full name of sole (or second joint)  
inventor:

Syed F. A. Hossainy

Inventor's Signature:

Syed F. A. Hossainy

Date:

4/26/01

Residence:

Fremont, California

Post Office Address:

34325 Tupelo Street  
Fremont, CA 94555

Citizenship: Bangladesh

Full name of sole (or third joint) inventor: Sameer Harish

Inventor's Signature:

Sameer Harish

Date:

5/04/01

Residence:

Fremont, California

Post Office Address:

43505 Ocaso Corte  
Fremont, CA 94539

Citizenship: USA

Full name of third joint inventor:

Deborra Sanders-Millare

Inventor's Signature:

Deborra Sanders-Millare

Date:

5/01/01

Residence:

San Jose, California

Post Office Address:

1430 Santa Inez Drive  
San Jose, CA 95125

Citizenship: USA

Full name of sole (or fifth joint) inventor: Daryush Mirzaee

Inventor's Signature:

\_\_\_\_\_

Date:

\_\_\_\_\_

Residence:

Sunnyvale, California

Post Office Address:

629 Ashbourne Dr.  
Sunnyvale, CA 94087

Citizenship: USA

Full name of sole (or second joint)  
inventor:

Syed F. A. Hossainy

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence:

Fremont, California

Post Office Address:

34325 Tupelo Street  
Fremont, CA 94555

Citizenship: Bangladesh

Full name of sole (or third joint) inventor: Sameer Harish

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence:

Fremont, California

Post Office Address:

43505 Ocaso Corte  
Fremont, CA 94539

Citizenship: USA

Full name of third joint inventor:

Deborra Sanders-Millare

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence:


San Jose, California

Post Office Address:

1430 Santa Inez Drive  
San Jose, CA 95125

Citizenship: USA

Full name of sole (or fifth joint) inventor: Daryush Mirzaee

Inventor's Signature: 

Date: 5/03/01

Residence:

Sunnyvale, California

Post Office Address:

629 Ashbourne Dr.  
Sunnyvale, CA 94087

Citizenship: USA

# RECORDATION FORM COVER SHEET PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

TO THE HONORABLE DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE. PLEASE RECORD THE ATTACHED ORIGINAL DOCUMENTS OR COPY THEREOF.

1. Name of conveying party(ies):

- (a) Wu, Steven Z.
- (b) Hossainy, Syed F. A.
- (c) Harish, Sameer
- (d) Sanders-Millare, Deborra
- (e) Mirzaee, Daryush

Additional name(s) of conveying party(ies) attached?

☐

Yes

☒

No

2. Name and address of receiving party(ies):

Name: Advanced Cardiovascular Systems, Inc.

Street Address: 3200 Lakeside Drive

City: Santa Clara

California 95054

Country: USA

22388 U.S. PTO  
10/663568



3. Nature of Conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other

Execution Date: (a) 5/1/01, (b) 5/1/01, (c) 5/4/01, (d) 5/1/01;  
and (e) 5/3/01

Name and address of receiving party(ies):

Name:

Street Address:

Copy of Recordation Form and Assignment from  
Parent Application Serial No. 09/851,877

... attached?

Yes

☒

No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: 5/1/01, 4/26/01, 5/4/01,  
5/1/01, and 5/3/01

A. Patent Application No.(s) -

Title: Microparticle Coated Medical Device

B. Patent No.(s)

Additional numbers attached?

☐

Yes

☒

No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: THEODORE P. LOPEZ

Internal Address: SKJERVEN MORRILL MacPHERSON LLP

Street Address: 25 METRO DRIVE, SUITE 700

City SAN JOSE State CA Zip 95110

6. Total number of applications and patents involved: one (1)

7. Total fee (37 CFR 3.41):

\$40.00

☒

Authorized to be charged to Deposit Account 19-2386

☒

Charge Deposit Account 19-2386 for any additional fees required for this conveyance and credit deposit account 19-2386 any amounts overpaid

DO NOT USE THIS SPACE

8. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Theodore P. Lopez

44,881

Name of Person Signing

*Theodore P. Lopez*

Signature

5/9/01

Date

Total number of pages comprising cover sheet: 1

# ASSIGNMENT

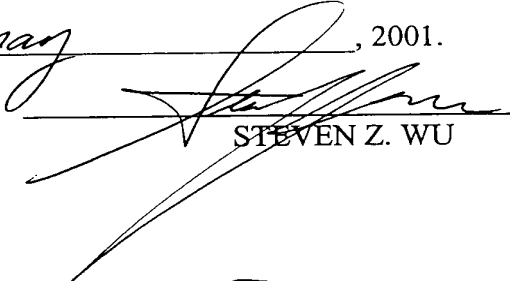
For good and valuable consideration, receipt of which is hereby acknowledged, we,

STEVEN Z. WU, of 2299 Lenox Place, Santa Clara, CA 95054, SYED F. A. HOSSAINY, of 34325 Tupelo Street, Fremont, CA 94555, SAMEER HARISH, of 43505 Ocaso Corte, Fremont, CA 94539, DEBORRA SANDERS-MILLARE of 1430 Santa Inez Drive, San Jose, CA 95125, and DARYUSH MIRZAEI of 629 Ashbourne Drive, Sunnyvale, CA 94087 hereby sell, assign and transfer to ADVANCED CARDIOVASCULAR SYSTEMS, INC., a California corporation, having a place of business at 3200 Lakeside Drive, Santa Clara, CA 95054, its successors and assigns, the entire right, title, and interest throughout the world in our invention in:

## MICROPARTICLE COATED MEDICAL DEVICE

for which we have executed a United States patent application on or about the date of this assignment, and all patent applications and patents of every country for said invention, including divisions, reissues, continuations and extensions thereof, and all rights of priority resulting from the filing of said applications; we authorize the above-named assignee to apply for patents of foreign countries for said invention, and to claim all rights of priority without further authorization from us; we agree to execute all papers useful in connection with said United States and foreign applications, and generally to do everything possible to aid said assignee, their successors, assigns and nominees, at their request and expense, in obtaining and enforcing patents for said invention in all countries; and we request the Commissioner of Patents and Trademarks to issue all patents granted for said invention to the above-named assignee, its successors and assigns.

Executed this 1 day of May, 2001.

  
STEVEN Z. WU

State of CALIFORNIA )  
 ) ss.  
County of SANTA CLARA

On MAY 1, 2001 before me, JOEY TONGSON  
personally appeared STEVEN Z. WU personally  
known to me ~~or proved to me on the basis of satisfactory evidence~~ to be the person(s) whose  
name(s) ~~is(are)~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~  
executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~  
signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s)  
acted, executed the instrument.

WITNESS my hand and official seal.



  
SIGNATURE OF NOTARY

Executed this 1st day of MAY, 2001.

SYED F. A. HOSSAINY  
SYED F. A. HOSSAINY

State of CALIFORNIA )  
 ) ss.  
County of SANTA CLARA

On MAY 1, 2001 before me, JOEY TONGSON  
personally appeared SYED F. A. HOSSAINY personally  
known to me ~~or proved to me on the basis of satisfactory evidence~~ to be the person(~~s~~) whose  
name(~~s~~) is(~~are~~) subscribed to the within instrument and acknowledged to me that he/~~she/they~~  
executed the same in his/~~her/their~~ authorized capacity(~~ies~~); and that by his/~~her/their~~  
signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~)  
acted, executed the instrument.

WITNESS my hand and official seal.



Signature of Notary  
SIGNATURE OF NOTARY

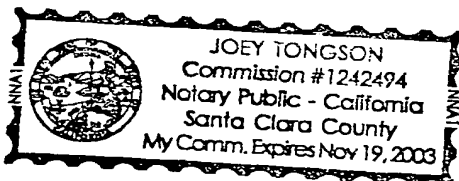
Executed this 4th day of May, 2001.

SAMEER HARISH  
SAMEER HARISH

State of CALIFORNIA )  
 ) ss.  
County of SANTA CLARA

On MAY 4, 2001 before me, JOEY TONGSON  
personally appeared SAMEER HARISH personally  
known to me ~~or proved to me on the basis of satisfactory evidence~~ to be the person(~~s~~) whose  
name(~~s~~) is(~~are~~) subscribed to the within instrument and acknowledged to me that he/~~she/they~~  
executed the same in his/~~her/their~~ authorized capacity(~~ies~~); and that by his/~~her/their~~  
signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~)  
acted, executed the instrument.

WITNESS my hand and official seal.



Signature of Notary  
SIGNATURE OF NOTARY

Executed this 1<sup>st</sup> day of May, 2001.

Deborra Sanders Millare  
DEBORRA SANDERS-MILLARE

State of CALIFORNIA )  
 ) ss.  
County of SANTA CLARA )

On MAY 1, 2001 before me, JOEY TONGSON  
personally appeared DEBORRA SANDERS-MILLARE personally  
known to me ~~or proved to me on the basis of satisfactory evidence~~ to be the person(s) whose  
name(s) ~~is(are)~~ subscribed to the within instrument and acknowledged to me that he/she/they  
executed the same in his/her/their authorized capacity(ies), and that by his/her/their  
signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s)  
acted, executed the instrument.



WITNESS my hand and official seal.

Joey Tongson  
SIGNATURE OF NOTARY

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
DARYUSH MIRZAEI

State of \_\_\_\_\_ )  
 ) ss.  
County of \_\_\_\_\_ )

On \_\_\_\_\_ before me, \_\_\_\_\_  
personally appeared \_\_\_\_\_ personally  
known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose  
name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they  
executed the same in his/her/their authorized capacity(ies), and that by his/her/their  
signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s)  
acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
SIGNATURE OF NOTARY



Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

DEBORRA SANDERS-MILLARE

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss.

On \_\_\_\_\_ before me, \_\_\_\_\_ personally appeared \_\_\_\_\_ personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

SIGNATURE OF NOTARY

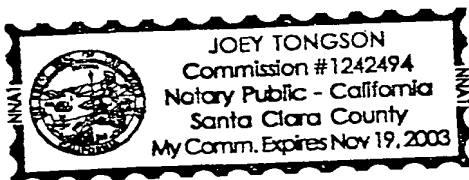
Executed this 3 day of May, 2001.

DARYUSH MIRZAEI

State of CALIFORNIA )  
County of SANTA CLARA ) ss.

On MAY 3, 2001 before me, JOEY TONGSON personally appeared DARYUSH MIRZAEI personally known to me ~~or proved to me on the basis of satisfactory evidence~~ to be the person(s) whose name(s) ~~is(are)~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



SIGNATURE OF NOTARY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Steven Wu, Syed F.A. Hossainy, Sameer Harish, Deborra Sanders Millare,  
Daryush Mirzaee

Assignee: Advanced Cardiovascular Systems, Inc.

Title: Microparticle Coated Medical Device

Serial No.: To be assigned Filed: May 9, 2001

Examiner: Unassigned Group Art Unit: Unknown

Docket No.: 50623.72

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COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST**

Sir:

The above-identified assignee hereby revokes all powers of attorney previously given and appoints hereby the following attorney(s) and/or agent(s) to prosecute the above-identified application and to transact all business in the United States Patent and Trademark Office in connection therewith:

**David B. Abel, Reg. No. 32,394; Daryl Josephson, 37,365; Nate Lane, Reg. No. 43,738; Marc A. Sockol, Reg. No. 40,823; Cameron Kerrigan, Reg. No. 44,826; Patrick Benedicto, Reg. No. 40,909; Victoria Nicholson Reg. No. 47,823; Paul Meyer, Reg. No. 47,791; Aaron Wininger, Reg. No. 45,229; Paul Durdik, Reg. No. 37,819; Arnold De Guzman, Reg. No. 39,955; William Bachand, Reg. No. 34,980; David Rogers, Reg. No. 38,287; David Koo, Reg. No. 46,839; Michael Lechter, Reg. No. 27,350; Les Weinstein, Reg. No. 19,625; Lori Howland, Reg. No. 42,671; Tim Kitchen, Reg. No. 41,900; Thomas A. Hassing, Reg. No. 36,159; Philip Yip, Reg. No. 37,265.**

Please address all correspondence and telephone calls regarding this application to:

Cameron Kerrigan  
SQUIRE, SANDERS & DEMPSEY L.L.P.  
One Maritime Plaza, Suite 300  
San Francisco, California 94111-3492  
Telephone: 415.954.0323

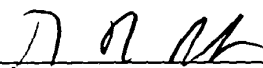
**ASSIGNEE CERTIFICATION UNDER 37 CFR 3.73(b)**

The undersigned representative of the above-identified assignee certifies that the above-identified assignee is the assignee of the entire right, title and interest in the above-identified patent application by virtue of a chain of title from the inventor of the above-identified patent application to the above-identified assignee as shown below:

1. From: Steven Wu, et al. To: Advanced Cardiovascular Systems, Inc.  
A copy of the Assignment document and Form PTO-1595 are enclosed herewith.

**The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the above-identified assignee.**

June 13, 2001  
\_\_\_\_\_  
Date

*TR*   
\_\_\_\_\_  
By: Thomas R. Peterson  
Vice President and General Counsel